

notify the enhanced services industry would provide ESPs with no new technical information. Essentially, it requires nothing more than redundant reporting.⁴³

In fact, technical uniformity and/or conformance with industry interconnection standards is critical for GTE. Operating dispersed "islands" of networks in 40 states, GTE interconnects with each of the BOCs as well as many other independents, interexchange carriers, enhanced service providers, cellular carriers, and so forth. With this requirement to interconnect with more parties than any other exchange carrier, conformance with industry standards is critical. Thus, GTE has every incentive to deploy only new services and only network interfaces that comply with those standardized through industry standards bodies or conform to BOC/Bellcore requirements.

In summary: Notification to the ESP industry of network changes and the necessary technical information for "make" decisions is already being provided by the BOCs and AT&T. Imposing such a requirement on GTE would produce no new information or benefits.

2. The State of Hawaii and MCI miss the point of the Commission's network information disclosure rules and the relevance of GTE's participation in make-buy decisions.

The comments of the State of Hawaii (at 7) and MCI (at 7-8) reflect a basic misunderstanding of the Commission's network information disclosure rules and GTE's position with regard to network information disclosure.

A. The State of Hawaii misunderstands GTE's involvement in switch manufacturing.

The State of Hawaii claims (at 7) that:

Although GTE no longer has an exclusive manufacturing affiliate, it remains involved in a joint switch manufacturing operation with AT&T. In addition, many GTOCs currently utilize equipment originally manufactured by GTE's Automatic Electric. ... Despite GTE's claims, the development of

⁴³ *Id.*

new functionalities and interfaces for such equipment necessitates GTE make/buy decisions on a regular basis.

The State of Hawaii misses a very important point regarding the relationship between GTE Corporation, the holding company, and the operating telephone companies that comprise GTE Telephone Operations ("GTE Telops"). GTE Corporation does indeed have interests in a joint switch manufacturing operation with AT&T known as AGCS. However, GTE Telops, which is completely separate from AGCS, is not engaged in the manufacture of switching products. Insofar as GTE Telops is concerned, AGCS is simply one of several vendors.

The "GTE" referred to in **all** information provided to the Commission on the subject of ONA, including D.92-256, is GTE Telops, the common carrier entity to which the FCC proposes to apply the BOC ONA requirements; not GTE Corporation, the holding company. GTE Telops is not routinely engaged in "make" decisions for switching products because it does not make switching products, it buys them from its vendors.

GTE Telops buys switching equipment from several vendors. When the need arises for new functionality in any existing switch in the GTE network, GTE Telops makes inquiries of the switch manufacturer as to the furnishing of new features and functions, including the technical details, timing of availability, and pricing. The response of the switch manufacturer -- whether AGCS or another -- is then compared to alternative means of providing the same service, *e.g.*, adjunct devices or overlay networks using other switching equipment. GTE Telops then selects the most cost effective solution.

However, in relation to the network functionality that enables enhanced services, these features and functions are those already defined by Bellcore and known to the ESP industry through the BOC notification processes. The buy decisions that result from a joint enhanced services/network services personnel planning efforts is not a regular occurrence. Requests for new network services by enhanced service

providers, including GTE's own enhanced service operations, have been infrequent and limited to capabilities already defined by the BOCs/Bellcore or already planned or available from switching equipment manufacturers. There are no GTE efforts aimed at developing proprietary network services for use by GTE enhanced services. Moreover, as described in GTE's Comments (at Attachment J), GTE uses no proprietary network services for its enhanced service offerings and has unbundled and tariffed the network service functionality underlying its enhanced services.

As discussed *supra*, GTE notifies its customers prior to the deployment of new functionalities in the GTE network. Taken together with the notification program of the BOCs and AT&T, GTE customers already receive adequate notice of make/buy decisions. There is no need for additional notification by GTE.

In summary: The State of Hawaii misunderstands GTE Telops' role with respect to "make" decisions. GTE Telops buys functionality from numerous vendors that design their products to meet Bellcore specifications. There is no need for GTE make/buy reporting.

B. GTE has ample incentives for keeping its customer base informed on interconnection requirements; there is no need to replace GTE's common sense practice with formal requirements.

MCI (at 8) argues for the imposition on GTE of formal network information disclosure rules -- over and above those already applicable (the "*All Carrier Rule*"⁴⁴ and Section 68.110).

As a matter of sound business practice and good customer relations, GTE already keeps its customers and potential customers informed about the company's existing and planned network offerings. The precise mechanism by which this is done is a matter of business judgment, circumstances, and customer reaction. Imposing a mechanism through regulatory requirements is unnecessary.

⁴⁴ *Computer II Reconsideration Order*, 84 F.C.C.2d at 82-83.

GTE suggests a very skeptical eye should be cast on proposed regulations that oblige an enterprise to do what is already dictated by its business interests. As mentioned *supra*, it is a far-fetched notion that a carrier that has incurred the cost of creating a service option would then have any incentive to conceal the availability of the option from its customers. GTE actively notifies its customers of the availability of new functionality – for only if customers are aware of new offerings can GTE recoup its costs.⁴⁵ From every perspective, failure to keep customers informed would be a bad business practice that would result in losses of current and future revenue.

Can it be said, since the regulation merely tells the company to do what it is already motivated to do, the regulation will do no harm, and therefore should be imposed? This logic would lead to the creation of massive government regulations replicating corporate policies line by line. Government regulation, then, should dictate to the carrier every detail of its operations day by day. But inevitably such regulations would impose rigidities on how they are complied with. Lawyers would be brought in to determine just what the company's legal obligations are. Instead of leaving company management free to decide how to conduct the company's business within the law, this would supersede management judgment and make the corporate decisional process stiff, legalistic and expensive.

Such an approach is at odds with the whole notion of a public utility as a private enterprise free to direct its own affairs. Governmental micro-management is bad public policy at any time. When competitive pressures on exchange carriers are increasing dramatically, governmental micro-management can have a seriously inhibiting, even crippling, effect.

⁴⁵ See GTE Comments at Attachment L for examples of GTE's ESP customer notification.

In summary: GTE is fully motivated to keep its customers informed, including its customers in the ESP industry, and is actively doing so. It is unnecessary to impose increased formal notification requirements.

3. The parties' submissions do not recognize that, without imposition of a rigid and costly mechanism, the Commission's objectives are already being realized.

In its own business interests, GTE is actively engaged in efforts to determine and satisfy ESP needs. GTE has implemented safeguards that satisfy the Commission's ONA goals and preclude discrimination against ESPs. And GTE offers ONA services comparable in number and functionality to those offered by the BOCs. GTE is in full compliance with the majority of the *BOC Requirements* and has voluntarily implemented practices that meet the Commission's intent for the remainder.

The waste that would result from imposing the *BOC Requirements* on GTE is illustrated by the BOC reporting requirements on technical capability. If the Commission receives eight reports instead of seven, significant costs would be incurred to obtain information of no real incremental value.

4. GTE's CPNI flag restriction system provides an effective safeguard.

The State of Hawaii claims (at 9) that GTE's use of a "flag" on customer records to protect CPNI is unsatisfactory since GTE is not required to notify customers of their right to withhold such information and since access to restricted accounts is still physically available to GTE affiliated enhanced service provider personnel. These concerns are unfounded.

GTE recognizes that an unaffiliated ESP may want to place restrictions on GTE access and use of customers' CPNI. Unaffiliated ESPs may ask their clients to restrict their CPNI. GTE has a notification process in place to inform ESPs of their CPNI rights and to instruct them in the steps that must be taken to restrict their CPNI.⁴⁶

⁴⁶ See *GTE Comments* at Attachment O.

GTE restricts access to customer accounts using a "flag" on the record because the design of current GTE OSS does not permit password protection of only selected data fields. The State of Hawaii speculates that CPNI restriction safeguards implemented by GTE will be ineffective. GTE believes that the absence of complaints from customers in Hawaii demonstrates that the restriction procedures in place today are effective in meeting FCC and unaffiliated ESP concerns.⁴⁷ An account that is restricted may only be handled by GTE service representatives that are prohibited from marketing GTE enhanced services. Moreover, CPNI is not used for enhanced service sales targeting. Should an incident of abuse occur, GTE will take swift disciplinary action against involved employees.

In summary: There is no evidence that GTE's existing CPNI flag restriction system is ineffective.

5. No party shows that there is a need for a dramatic increase in regulatory burdens for GTE.

GTE's Comments (at 11-17) show that the markets for all exchange carrier services face competition today. Tomorrow they will be still more competitive. The Commission itself has recognized that the notion of an exchange carrier "bottleneck" is a diminished concern in today's competitive environment.⁴⁸ While Commission policy favors reducing regulatory constrictions to permit exchange carriers to compete, the *Notice* proposes to go in the opposite direction by dramatically increasing regulatory costs and burdens for GTE as the environment becomes still more competitive.

No party shows there is a need for such a reversal of the Commission's direction directly counter to the trend of real world developments.

⁴⁷ The GTE flag method actually goes beyond FCC requirements in that it restricts the entire account from GTE's enhanced services personnel, not just certain customer information.

⁴⁸ *Phase I Order*, 104 F.C.C.2d at 964.

VI. IF THE FCC SHOULD DECIDE TO IMPOSE SOME REQUIREMENTS ON GTE, THE LEAST DAMAGING APPROACH WOULD BE SIMPLY FORMALIZING GTE'S EXISTING PRACTICES.

Applying to GTE the *BOC Requirements* would be costly and burdensome, and would provide no net public interest benefits. Application of the *BOC Requirements* to selected portions of GTE's territory would incur heavy costs far exceeding any conceivable benefit. The least damaging way to impose all or some portion of the *BOC Requirements* on GTE would be to formalize GTE's existing practices.

Without being subject to *BOC Requirements*, GTE:

- (1) Has implemented ONA safeguards that satisfy the Commission's ONA goals and preclude discrimination against Enhanced Service providers.
- (2) Offers ONA services comparable in number and functionality to those offered by the BOCs.
- (3) Continues to pursue an active program to determine and satisfy ESP needs.

Thus, the benefits of ONA already exist for GTE's customers. GTE's implementation of CPNI, OSS access and network information disclosure safeguards was designed to satisfy the ONA goals established by the Commission and to accommodate GTE-specific circumstances.

If the Commission were to conclude that all or some part of the *BOC Requirements* should be applied to GTE, the FCC should recognize the soundness of GTE's existing practices and the degree to which these practices support the Commission's ONA/CEI goals while fitting the GTE environment. In that event, the FCC should conclude it is in the public's best interest to formalize GTE's existing practices.

In summary: The least damaging way to impose all or some portion of the *BOC Requirements* on GTE would be to formalize GTE's existing practices.

VII. TO THE EXTENT BELL ATLANTIC IS ARGUING UNNECESSARY REGULATORY BURDENS ON ANY COMPANY SHOULD BE REMOVED, GTE AGREES WITH BELL ATLANTIC.

Bell Atlantic (at 3) is simply incorrect in saying two decisions of the Court of Appeals "rejected previous attempts to distinguish GTE from the RBOCs."⁴⁹ The decisions referred to by Bell Atlantic merely expressed tentative thoughts, not conclusions.⁵⁰ In contrast, the FCC has thoroughly examined the BOC/GTE differences four times and each time found these differences justify different treatment. As stressed *supra*, under all the criteria previously employed, the BOC/GTE differences are even greater today.

Judge Greene has reached the same essential conclusion: that the differences between GTE and the BOCs -- particularly in respect of the capacity for anticompetitive action -- justifies different treatment. Addressing issues similar to those involved here, the antitrust court stressed the BOC/GTE differences and relied on those differences in applying legal requirements. Bell Atlantic argues Judge Greene's decision represents "unjustifiable discrimination" and calls on the FCC to, in effect, reverse a carefully considered decision of the court -- even though the court was in complete harmony with conclusions reached on four occasions by the FCC. GTE is confident a careful review of the facts by the Commission will lead to the fifth decision recognizing the important differences between GTE and the BOCs.

⁴⁹ Bell Atlantic cites: (i) *Illinois Bell Tel. Co. v. FCC*, 883 F.2d 104 (D.C.Cir. 1989); and (ii) *Illinois Bell Tel. Co. v. FCC*, 740 F.2d 465 (7th Cir. 1984).

⁵⁰ The D.C. Circuit case merely comments in a footnote about a "possible anomaly" involving GTE vis-a-vis the BOCs -- a matter that was not even raised by the petitioners. 883 F.2d at 112 n.6. The Seventh Circuit case upheld the FCC's action in imposing a separate subsidiary requirement on the BOCs but not on GTE and other independents. The court indicated doubts about the relevance of the urban-rural distinction and drawing the line at GTE. 740 F.2d at 476-77. But this was merely *dictum*. Three times since this Seventh Circuit decision the FCC has decided the GTE/BOC restriction justifies different treatment. *See Phase II Order*, 2 FCC Rcd at 3102-02; *D.86-79 Report & Order*, 2 FCC Rcd at 156-58; *D.86-79 Modified Order*, 3 FCC Rcd at 28.

To the extent excessive and unjustified burdens are imposed on the BOCs either under the MFJ or by the FCC, this should be remedied. GTE is in complete agreement with Bell Atlantic that unnecessary regulation should be avoided. Extending those burdens to still another party serves no purpose at all -- particularly when the circumstances affecting that party (GTE) make the impact of the restriction very different.

The reality is: the *BOC Requirements* represented a great improvement for the BOCs over where they stood previously, *i.e.*, subject to full separation requirements. Accordingly, the BOCs chose not to resist being subjected to the *BOC Requirements*. But GTE was never subject to structural separation. The *BOC Requirements* to GTE represent a dramatic increase in regulatory burdens -- and an increase that is not justified in terms of the criteria applied in the past by the antitrust court and the FCC.

In summary: To the extent Bell Atlantic is arguing for elimination of unnecessary regulation, GTE agrees with Bell Atlantic. Extending unnecessary regulation to a new party is not a valid solution.

VIII. NATIONAL ASSOCIATION OF BROADCASTERS' ARGUMENT IS GROUNDED ON THE MISTAKEN PREMISE THAT GTE HAS BEEN SUBJECT TO A SEPARATE SUBSIDIARY REQUIREMENT.

NAB (at 5) argues that the FCC "should retain the separate subsidiary requirement for GTE..." But the FCC has never made GTE subject to a separate subsidiary requirement. As discussed at length in GTE's Comments (at 17-23), on every occasion the FCC has considered the issue it has determined that the GTE/BOC

differences justify different treatment. Insofar as NAB envisions action by the FCC removing some kind of FCC-imposed separation requirement,⁵¹ it is simply mistaken.⁵²

IX. GTE DEMONSTRATES THAT THE VARIOUS CONCERNS EXPRESSED BY THE STATE OF HAWAII ARE UNFOUNDED.

1. GTE's existing installation and repair methods preclude discrimination; there is no need for nondiscrimination reporting.

The State of Hawaii (at 8) dismisses GTE's statement that internal procedures already preclude discrimination in installation and repair and claims that this fact is "meaningless because without nondiscrimination reporting, it is virtually impossible to know whether discrimination has or has not occurred."

GTE's installation and repair procedures already fully meet the Commission's objectives. GTE quotes service order due dates using a mechanized system that recognizes customer wishes, the current work load, and the physical location of employees with the necessary skill sets.⁵³ Standard intervals are assigned to recognize the type, quantity, and complexity of the requested service. Customer identity is not a factor. In addition, internal performance measurements are based upon a comparison of standard due date interval commitments and actual achievement of those commitments, irrespective of who the customer might have been.

Repair due dates are also assigned using a mechanized system that recognizes the nature of trouble and type of service, and does not consider customer identity.

⁵¹ NAB at 6: "The Commission therefore should not completely eliminate the separation requirements for GTE until the appeal process is completed."

⁵² NAB is also mistaken in its evident belief that the FCC would have the power to remove restrictions imposed by the GTE Consent Decree. NAB at 7: "NAB urges the Commission to retain the separate subsidiary requirements placed on GTE by the Consent Decree...." In any case, the restrictions of the GTE Consent Decree that concerned information services -- now obsolete -- did not amount to a separate subsidiary requirement.

⁵³ See *GTE Letter* at Exhibit I for a description of the GTE Automated Work Administration System and examples of GTE installation and repair procedures.

Maximum clearing times are dictated by customer needs and, for many services, state regulations. Internal performance measurements are based upon the shortest possible clearing times. Similarly, GTE performance design standards and practices preclude discrimination based upon customer identity.

GTE also offers tariffed performance guarantees for residential, business, and access service installation activities.⁵⁴ These programs offer to refund installation charges if GTE does not perform as promised. In this regard, GTE leads the industry. There are no customer identity restrictions associated with these programs.

In summary: GTE internal installation and repair systems already satisfy the intent of the *BOC Requirements*.

2. GTE does not provide aggregate CPNI to either affiliated or nonaffiliated ESPs.

The State of Hawaii recommends (at 9) that: "To the extent that GTOCs do aggregate the information [CPNI] and it is available to affiliated enhanced service operations, the information should be shared with unaffiliated providers." This concern is rendered moot by GTE's procedures.

GTE made the decision not to provide non-proprietary aggregate CPNI to the affiliated ESP because of the administrative cost of implementing a "clearing house" function to handle requests.⁵⁵

In summary: GTE does not provide non-proprietary aggregate CPNI to an affiliated ESP; therefore there is no opportunity to discriminate against nonaffiliated ESPs.

⁵⁴ See, for example, GTOC Tariff FCC No. 1, at 27-28.

⁵⁵ Clearing house activities would have included: (1) receiving and logging data requests from the affiliated ESP; (2) determining if the data request involves CPNI; (3) estimating the cost for acquiring the data; (4) verifying that the affiliated ESP is willing to bear the cost; (5) overseeing preparation of the data; (6) receiving and storing the report; (7) sending notification on report availability to unaffiliated ESPs; (8) responding to requests from nonaffiliated ESPs.

3. GTE responds to the State of Hawaii request for more details concerning cost estimates.

The State of Hawaii (at n.10) chides GTE for a failure "to provide the Commission with analysis supporting actual total increased costs associated with implementing these safeguards." In response, GTE provides *infra* an explanation of the underlying assumptions and types of work efforts included in each cost model.

The cost models were based upon the following assumptions:

- (1) *BOC Requirements* per FCC orders through late January 1993.
- (2) Annual CPNI polling of business customers with 2-20 lines and automatic restriction of customers with greater than 20 lines.
- (3) Post-Contel merger number of employees and 40 state jurisdictions.
- (4) 1992 wage levels.
- (5) Compliance costs for non-proprietary aggregate CPNI processing/distribution and CEI availability were eliminated due to the belief that GTE currently satisfies the FCC's requirements.

<u>RULE</u>	<u>1st YEAR COST</u>
CPNI	\$ 1,804,000
Network Information Disclosure	539,000
Reporting ⁵⁶	1,316,000
OSS Access	<u>15,847,000</u>
Total Capital & Expense	\$19,506,000

The types of work efforts estimated in the GTE cost models are as follows:

CPNI Polling/Waiver

- A) Polling/Processing Responses: data base development, ballot preparation, procedure development, mailing of ballots, processing responses.

⁵⁶ Includes Installation & Repair and GTE ONA User Guide.

- B) Training: course development and class time.
- C) Customer Polling Question Handling: establish 800 line, answer customer questions regarding purpose of polling process.
- D) Service Office Restricted Account Handling: lost productive time due to transferring calls.
- E) CPNI Automatic Restriction Waiver: develop procedures, create restriction customer communication documents, obtain customer waiver.

Network Information Disclosure

- A) Organization: develop organization plan to administer network information disclosure activities, hire permanent staff.
- B) Training/Procedures: course development and class time.
- C) Disclosure Report: develop database, establish mechanisms to populate and update database, produce periodic reports, examine reports to identify impact on ESP connectivity, create notification documents and process, distribute individual notifications to ESPs.
- D) ESP Inquiries: establish 800 line, develop information packet, answer questions, mail relevant technical information, document contact with ESP customers including updating ESP address database.
- E) ESP Non-Disclosure Agreement: negotiate non-disclosure agreement and obtain final documents.

Installation & Repair Reporting/ User Guide

- A) Installation/Repair Report: design access to each OSS, develop database to match customer identity with I/R activity, establish mechanisms to populate and update database, distribute reports, respond to inquiries.
- B) Training/Procedures: develop course and train employees.

C) ONA Services User Guide: develop database, create mechanisms to populate and update database, programming for report generation, prepare diskettes, distribute diskettes.

OSS Access

A) OSS Gateway: develop interface to each OSS, develop software, maintain access.

Attachment A shows an example of the level of detail used to create the cost estimation model necessary for CPNI polling. A similar analysis was performed for each one of the *BOC Requirements* listed *supra*.

In summary: GTE's cost modeling fully reflects the work functions necessary to implement the *BOC Requirements*.

4. The State of Hawaii is mistaken in claiming GTE used inappropriate 1980 MSA census data.

The State of Hawaii (at 6) claims that GTE used outdated 1980 Metropolitan Statistical Area ("MSA") data to show GTE's lack of presence in the top fifty markets. It characterizes the 1990 census as including "dramatic changes in the top 50 MSAs." The State is comparing apples to oranges.

Attachment E of the GTE Comments was not based upon census population data since population alone does not give an accurate representation of the market for telecommunications services. This attachment was based on 1990 network telecommunications expenditure data and demonstrated the lack of GTE dominance in the top 50 MSAs as ranked by that criterion.⁵⁷

Attachment B contains updated bar charts showing the potential GTE market share in the top fifty markets based upon 1992 telecommunications expenditures data.

⁵⁷ The definition of communications expenditures includes all network-based telecommunications services. This incorporates all wireline, cellular, satellite, and CAP services. The GTE portion of the bar chart represents the total addressable market available to GTE Telops, not the GTE Telops market share. Source: American Business Information, 5711 South 86th Circle, Omaha NE 68127

There are no surprises compared to the 1990 data. Some of the MSAs shifted upwards and some shifted downwards. But, the proportion of GTE potential market vis-a-vis the total market in those top 50 MSAs remains the same: minor except in two locations, Tampa and southern California. The Honolulu MSA is ranked 62nd in this category.

The State of Hawaii observes (at 6) that the 1990 MSA census data shows Honolulu as the 51st ranked MSA. That fact is irrelevant. Whether one uses the top 50 or the top 100 or the top 131 MSAs, whether one bases the comparison on telecommunications expenditures or population, the fact remains that GTE service territories do not include anywhere near the proportion of urban areas served by the BOCs.

GTE has demonstrated in great detail how GTE currently meets and will continue to meet customer needs in any service territory where the Commission's four *ONA Feasibility Criteria* can be met. GTE repeats again that it is ready, willing and able to provide state-of-the-art communications services to the citizens of Hawaii including any and all ESPs operating in Hawaii. The State of Hawaii's repeated calls for onerous and costly rules to be added to GTE, if granted, will only impose additional costs with no offsetting benefits -- and those costs must be taken into account in setting the price for service.

In summary: None of the changes in either MSA census data between 1980 and 1990 or MSA telecommunications expenditures data between 1990 and 1992 have any material effect on GTE's position vis-a-vis the BOCs. The fact remains that GTE serves few large portions of the nation's top urban markets where ESPs are most likely to operate. In any event, with or without ONA rules, GTE stands ready to meet customer needs in any location where the Commission's four *ONA Feasibility Criteria* can be met.

5. The announced transactions will not significantly affect GTE's rural character and line density.

The State of Hawaii states (at 5-6) that GTE is planning "to trade or sell the exchanges in three of the low-density states it currently serves." This, it claims, "would suggest that GTE may become less 'rural' and therefore would counter GTE's request for special treatment as a 'rural' carrier."

Certain planned transactions have been announced by GTE. They would involve sale/exchange transactions and property located in North Dakota, South Dakota, Georgia, Illinois, Indiana and Michigan. When the announced transactions are accomplished, there will be no significant difference in the overall density of GTE. It is remarkable that the State of Hawaii – which is not impressed by the dramatically more rural character of GTE by virtue of the Contel merger – should place such emphasis of proposed transactions of far less impact.⁵⁸

The larger point is that the remainder of GTE service territories would each retain their own existing density characteristics. Sale or trade of one exchange does nothing to change the characteristics of another.

In summary: GTE's rural character and line density will not be significantly affected by the announced transactions.

X. NEITHER THE PROPOSED FILING PLAN NOR THE TIME TABLE FOR IMPLEMENTATION OF ONA BY GTE SHOULD BE ADOPTED.

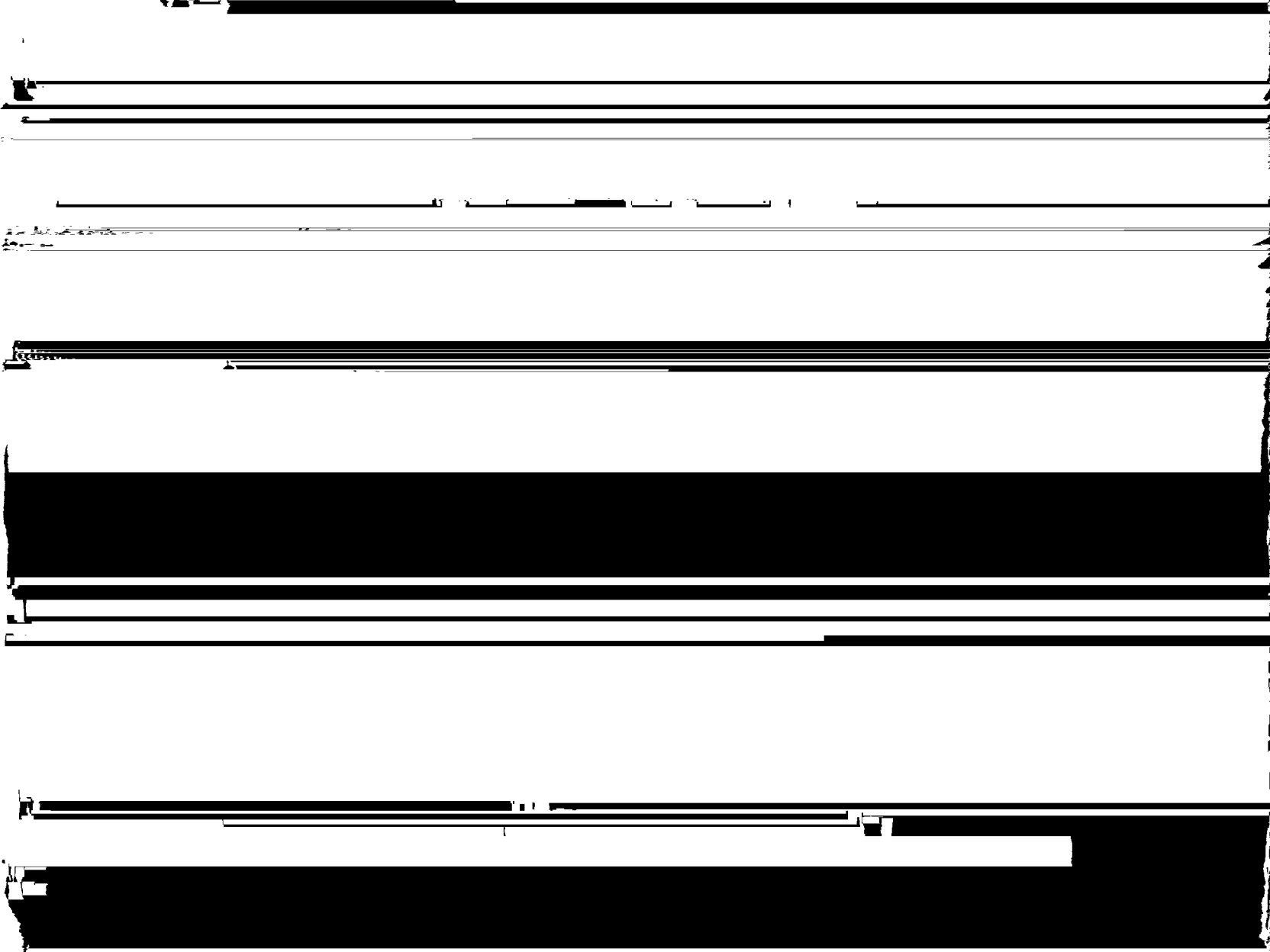
1. GTE must be able to make its own decision on how to effect compliance.

The *Notice* (7 FCC Rcd at 8669) proposes to streamline implementation of nondiscrimination safeguards by allowing GTE to implement each requirement in a way

⁵⁸ The Contel merger reduced GTE's density (lines per square mile) by nearly twenty lines (53.4 to 33.7) -- an overall reduction of 37 percent. The announced transactions will increase GTE's density by about three-quarters of a line per square mile -- an overall increase of 2.1 percent.

already approved for one of the BOCs in an ONA plan, unless GTE justifies a different method.

As GTE has repeatedly shown, there are substantial differences between GTE and the BOCs. If all or some portion of the *BOC Requirements* are applied to GTE, GTE must be able to make its own decision on the method of compliance. This may include selecting the way Bell Atlantic complied with one aspect and the way Ameritech complied with another. It may also involve a new and unique method developed for GTE's situation. The Commission should not involve itself in micromanagement. It is.



since review of the Plan prior to final tariff development will avoid the need for extensive and wasteful revisions.

An important advantage of following GTE's recommendation, *supra*, of implementing safeguards by merely formalizing GTE's existing practices is this could avoid any need for submission of a plan. This step can be avoided since the detailed information GTE has provided in the *GTE Letter* and this D.92-256 describes how GTE meets the Commission's ONA/CEI objectives.

In summary: If the Commission adopts GTE's existing practices, a GTE ONA tariff could be filed without the need for an ONA Plan. Should the Commission adopt some other requirements, the GTE recommendation that the ONA Plan be filed and approved in advance of a tariff filing should be adopted.

3. The proposed timetable for implementation should be modified.

The *Notice* (*id.* at n.38) proposes that under either implementation alternative, GTE will be required to implement "requirements as they exist twelve months after release of the order in this proceeding." Only one party, GSA, commented on this proposal, but GSA did not address the major shortcoming inherent in that proposal. GTE (at 76-77) objected to this proposal since it would require GTE to attempt to hit a moving rules target.

The *BOC Requirements* have been frequently revised. It is unrealistic to expect GTE to adjust implementation efforts on-the-fly as future revisions occur. Should the Commission apply all or part of the *BOC Requirements* to GTE, the fair and logical approach is to allow GTE twelve months to comply with the requirements contained in a D.92-256 order.⁶⁰ Any subsequent change to BOC/GTE requirements should include

⁶⁰ GTE is not certain that it would be possible to implement all *BOC Requirements* within twelve months. It is possible that GTE might seek limited waivers for some *BOC Requirements*.

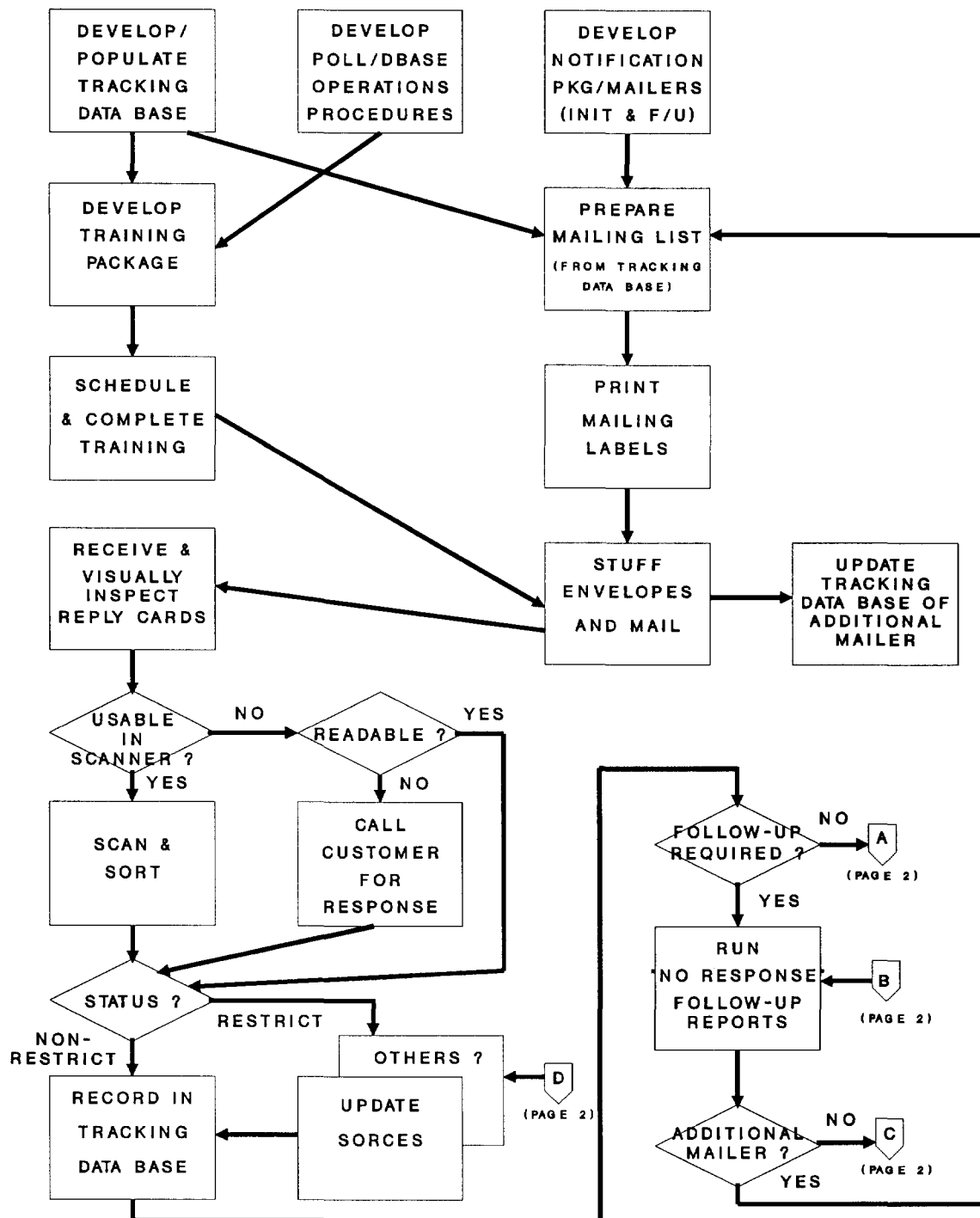
specific and reasonable time frames for compliance and should consider any unique GTE implementation circumstances.

In summary: The Commission should adopt a workable implementation schedule that does not include compliance with unknown future changes to *BOC*

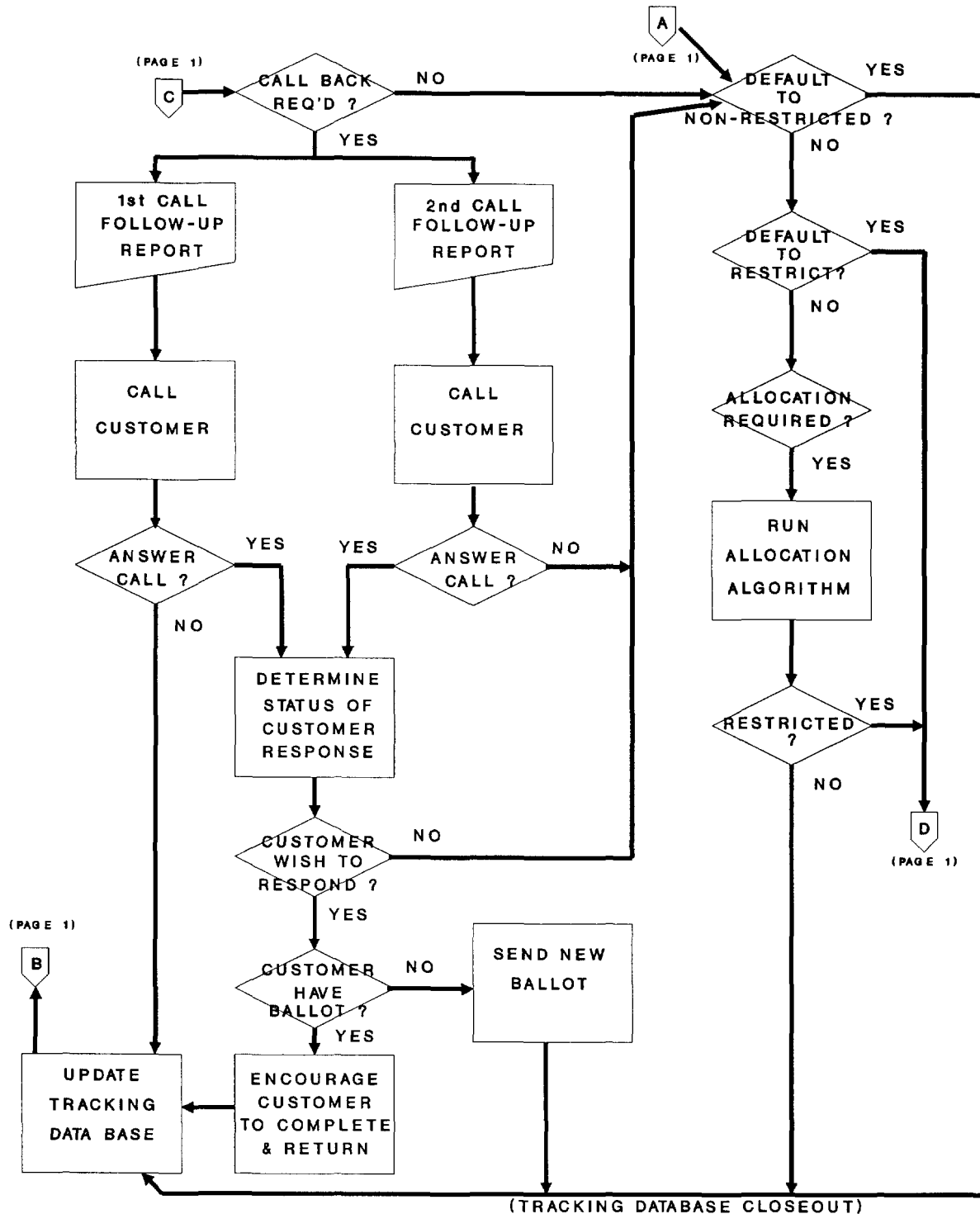
Requirements

ATTACHMENT A

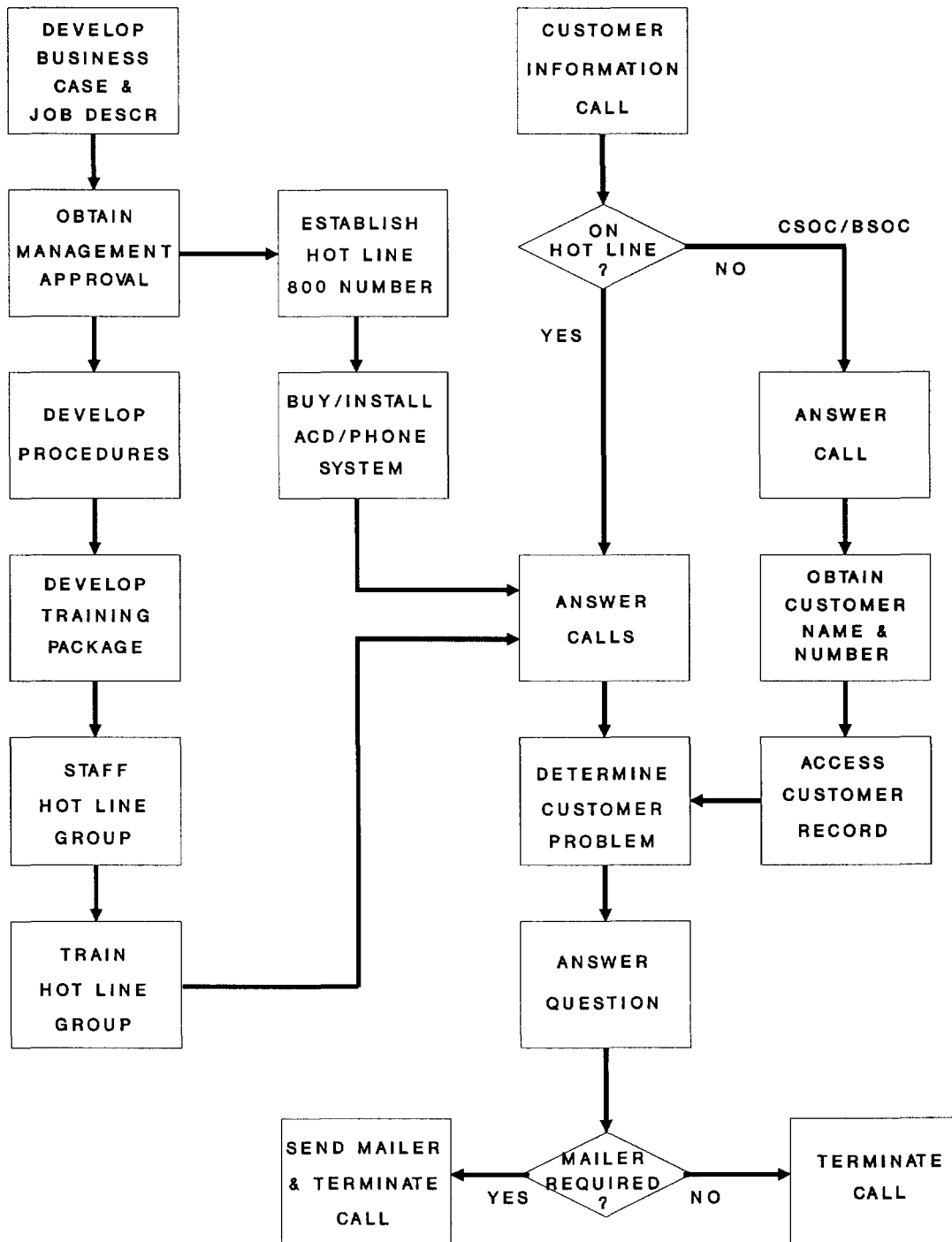
CPNI POLLING & RECORD RESTRICTION WITH FOLLOW-UP



CPNI POLLING & RECORD RESTRICTION WITH FOLLOW-UP (CONT.)



CUSTOMER CPNI POLLING INFORMATION HOTLINE



CPNI RESTRICTIONS - POLLING CUSTOMERS ANNUALLY

A) CPNI POLLING AND RESTRICTION COSTS - POLLING ALL CUSTOMERS

Polling and Response Processing Costs - Initial Mailer

Develop/Populate Tracking Data Base
Develop Data Base Tracking Reports
Preparation of CPNI Polling Package
Preparation of Mailing Lists - Initial Mailer
Printing of Packets and Labels - Initial Mailer
Envelopes Stuffed - Initial Mailer
Mailing CPNI Polling Package - Initial Mailer
Cost of Post Office Box
Mailing cost for Polling Responses - Initial Mailer
Visually Check all Responses - Initial Mailer
Loading and Running Card Scanner to Record Responses - Initial Mailer
Maintenance Cost Allocated for Card Scanner
SORCES Update for All Restricted Responses - Initial Mailer
Update Polling Data Base for all Responses - Initial Mailer
Calling Customers for Verification - Initial Mailer
Key Entry for non-Scannable Cards - Initial Mailer

Polling and Response Processing Costs - Follow-up Mailer

Cost to Run Follow-up Report
Preparation of Mailing Lists - Follow-up Mailer
Printing of Packets and Labels - Follow-up Mailer
Envelopes Stuffed - Follow-up Mailer
Mailing CPNI Polling Package - Follow-up Mailer
Mailing cost for Polling Responses - Follow-up Mailer
Visually Check all Responses - Follow-up Mailer
Loading and Running Card Scanner to Record Responses - Follow-up Mailer
SORCES Update for All Restricted Responses - Follow-up Mailer
Update Polling Data Base for all Responses - Follow-up Mailer
Calling Customers for Verification - Follow-up Mailer
Key Entry for non-Scannable Cards - Follow-up Mailer

Polling and Response Processing Costs - First Follow -up Call

Cost to Run Follow-up Report
Cost to Make First Follow-up Call
Update Polling Data Base for First Follow-up Call
Preparation of Mailing Lists - Replacement Packet
Printing of Packets and Labels - Replacement Packet
Envelopes Stuffed - Replacement Packet